

## **VII. PROCEDURAL SAFEGUARDS**

It is the policy of the State of Iowa that procedural safeguards required under IDEA are met. Children with disabilities and their parents are afforded the procedural safeguards identified in this text and in Iowa's parental rights brochure. The State of Iowa has provided a parental rights brochure to each area education agency (AEA) to print and disseminate for the local education agencies (LEAs) to use when appropriate.

Iowa assures that each public agency establishes, maintains, and implements procedural safeguards. Each agency will use the following terms in defining procedural safeguards.

1. Consent means that: (i) The parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language, or other mode of communication; (ii) The parent understands and agrees in writing to the carrying out of the activity for which his or her consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom; and, (iii)(A) The parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at anytime. (B) If a parent revokes consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked).
2. Evaluation means procedures used in accordance with §§300.530-300.536 to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs.
3. Personally identifiable means that information includes: (i) The name of the child, the child's parent, or other family member; (ii) The address of the child; (iii) A personal identifier, such as the child's social security number or student number; or (iv) A list of personal characteristics or other information that would make it possible to identify the child with reasonable certainty.

The parents of a child with a disability must be afforded an opportunity to –

1. Inspect and review all education records with respect to (i) The identification, evaluation, and educational placement of the child; and (ii) The provision of FAPE to the child; and
2. Participate in meetings with respect to (i) The identification, evaluation, and educational placement of the child; and (ii) The provision of FAPE to the child.

Each public agency shall provide notice to ensure that parents of children with disabilities have the opportunity to participate in meetings. A meeting does not include informal or unscheduled conversations involving public agency personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provision if those issues are not addressed in the child's IEP. A meeting also does not include preparatory activities that public agency personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting.

Each public agency shall ensure that the parents of each child with a disability are members of any group that makes decisions on the educational placement of their child.

In implementing the requirements of parent participation, the public agency shall use procedures consistent with the procedures described for parent participation in the Iowa rules. If neither parent can participate in a meeting in which a decision is to be made relating to the educational placement of their child, the public agency shall use other methods to ensure their participation, including individual or conference telephone calls, or video conferencing. A placement decision may be made by a group without the involvement of the parents, if the public agency is unable to obtain the parents' participation in the decision. In this case, the public agency must have a record of its attempt to ensure their involvement, including information that is consistent with the requirements of conducting an IEP meeting without a parent in attendance. The public agency shall make reasonable efforts to ensure that the parents understand, and are able to participate in, any group discussions relating to the educational placement of their child, including arranging for an interpreter for parents with deafness, or whose native language is other than English.

Each public agency shall have procedures in place that ensure parents rights to an independent evaluation. The parents of a child with a disability have the right to obtain an independent educational evaluation of the child. Each public agency shall provide to parents, upon request for an independent educational evaluation, information about where an independent educational evaluation may be obtained, and the agency criteria applicable for independent educational evaluations. For the purposes of this part, independent educational evaluation means an evaluation conducted by a qualified examiner who is not employed by the public agency responsible for the education of the child in question; and public expense means that the public agency either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent, consistent with regulations for payment.

A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the public agency. If a parent requests an independent educational evaluation at public expense, the public agency must, without unnecessary delay, either initiate a hearing to show that its evaluation is appropriate; or ensure that an independent educational evaluation is provided at public expense, unless the agency demonstrates in a hearing that the evaluation obtained by the parent did not meet agency criteria. If the public agency initiates a hearing and the final decision is that the agency's evaluation is appropriate, the parent still has the right to an independent educational evaluation, but not at public expense. If a parent requests an independent educational evaluation, the public agency may ask for the parent's reason why he or she objects to the public evaluation. However, the explanation by the parent may not be required and the public agency may not unreasonably delay either providing the independent educational evaluation at public expense or initiating a due process hearing to defend the public evaluation.

If the parent obtains an independent educational evaluation at private expense, the results of the evaluation must be considered by the public agency, if it meets agency criteria, in

any decision made with respect to the provision of FAPE to the child; and may be presented as evidence at a hearing under this subpart regarding that child.

If a hearing officer requests an independent educational evaluation as part of a hearing, the cost of the evaluation must be at public expense.

If an independent educational evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the public agency uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an independent educational evaluation. Except for the criteria, a public agency may not impose conditions or timelines related to obtaining an independent educational evaluation at public expense.

Each public agency must have procedures for providing parents with prior written notice. Prior notice by the public agency must be given to the parents of a child with a disability a reasonable time before the public agency proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child; or refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child. If the notice relates to an action proposed by the public agency that also requires parental consent the agency may give notice at the same time it requests parental consent.

Prior notice by a public agency must include:

- a description of the action proposed or refused by the agency;
- an explanation of why the agency proposes or refuses to take the action;
- a description of any other options that the agency considered and the reasons why those options were rejected;
- a description of each evaluation procedure, test, record, or report the agency used as a basis for the proposed or refused action;
- a description of any other factors that are relevant to the agency's proposal or refusal;
- a statement that the parents of a child with a disability have protection under the procedural safeguards of this part and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained; and,
- sources for parents to contact to obtain assistance in understanding the provisions of this part.

Prior notice by a public agency must be written in language understandable to the general public and provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, the public agency shall take steps to ensure that the notice is translated orally or by other means to the parent in his or her native language or other mode of communication; the parent understands the content of the notice; and there is written evidence that the requirements have been met.

The Iowa Department of Education has developed a parental rights brochure that contains all procedural safeguards. The parental right brochure has been distributed to all AEAs for distribution to parents at the above times. If an AEA uses a parental rights brochure other than the one developed by the state it must have state approval. The State of Iowa has taken measures to translate the parental rights brochure into a variety of languages for parents.

A copy of the procedural safeguards available to the parents of a child with a disability must be given to the parents, at a minimum –

1. Upon initial referral for evaluation;
2. Upon each notification of an IEP meeting;
3. Upon reevaluation of the child; and
4. Upon receipt of a request for due process.

Parental consent must be obtained before conducting an initial evaluation or reevaluation; and before initial provision of special education and related services to a child with a disability. Consent for initial evaluation may not be construed as consent for initial placement. Parental consent is not required before reviewing existing data as part of an evaluation or a reevaluation; or administering a test or other evaluation that is administered to all children unless, before administration of that test or evaluation, consent is required of parents of all children. If the parents of a child with a disability refuse consent for initial evaluation or a reevaluation, the agency may continue to pursue those evaluations by using the due process procedures, or the mediation procedures.

Informed parental consent need not be obtained for reevaluation if the public agency can demonstrate that it has taken reasonable measures to obtain that consent, and the child's parent has failed to respond. To meet the reasonable measures requirement, the public agency must use procedures consistent with those in conducting an IEP meeting without a parent in attendance.

A public agency may not use a parent's refusal to consent to one service or activity to deny the parent or child any other service, benefit, or activity of the public agency.

Each public agency shall ensure that procedures are established and implemented to allow parties to resolve disputes involving any matter described in prior notice by a public agency through a mediation process that, at a minimum, must be available whenever a hearing is requested.

The procedures must meet the following requirements:

1. The procedures must ensure that the mediation process: (i) Is voluntary on the part of the parties; (ii) Is not used to deny or delay a parent's right to a due process hearing, or to deny any other rights afforded under Part B of the Act; and (iii) Is conducted by a qualified and impartial mediator who is trained in effective mediation techniques.

2. The State shall maintain a list of individuals who are qualified mediators and knowledgeable in laws and regulations relating to the provision of special education and related services. If a mediator is not selected on a random (e.g., a rotation) basis, both parties must be involved in selecting the mediator and agree with the selection of the individual who will mediate.
3. The State shall bear the cost of the mediation process, including the costs of meetings
4. Each session in the mediation process must be scheduled in a timely manner and must be held in a location that is convenient to the parties to the dispute.
5. An agreement reached by the parties to the dispute in the mediation process must be set forth in a written mediation agreement.
6. Discussions that occur during the mediation process must be confidential and may not be used as evidence in any subsequent due process hearings or civil proceedings, and the parties to the mediation process may be required to sign a confidentiality pledge prior to the commencement of the process.

An individual who serves as a mediator under this part may not be an employee of any LEA or any State agency or an SEA that is providing direct services to a child who is the subject of the mediation process; and must not have a personal or professional conflict of interest. A person who otherwise qualifies as a mediator is not an employee of an LEA or State agency solely because he or she is paid by the agency to serve as a mediator.

A public agency may establish procedures to require parents who elect not to use the mediation process to meet, at a time and location convenient to the parents, with a disinterested party: (i) Who is under contract with a parent training and information center or community parent resource center in the State established under section 682 or 683 of the Act, or an appropriate alternative dispute resolution entity; and (ii) Who would explain the benefits of the mediation process, and encourage the parents to use the process. A public agency may not deny or delay a parent's right to a due process hearing under if the parent fails to participate in the meeting.

A parent or a public agency may initiate a hearing on any of the matters relating to the identification, evaluation or educational placement of a child with a disability, or the provision of FAPE to the child. When a hearing is initiated, the public agency shall inform the parents of the availability of mediation. The public agency shall inform the parent of any free or low-cost legal and other relevant services available in the area if the parent requests the information; or the parent or the agency initiates a hearing.

The hearing must be conducted by the SEA or the public agency directly responsible for the education of the child, as determined under State statute, State regulation, or a written policy of the SEA.

The public agency must have procedures that require the parent of a child with a disability or the attorney representing the child, to provide notice (which must remain confidential) to the public agency in a request for a hearing. The notice must include:

1. The name of the child;

2. The address of the residence of the child;
3. The name of the school the child is attending;
4. A description of the nature of the problem of the child relating to the proposed or refused initiation or change, including facts relating to the problem; and
5. A proposed resolution of the problem to the extent known and available to the parents at the time.

The state has developed a model form to assist parents in filing a request for due process. A public agency may not deny or delay a parent's right to a due process hearing for failure to provide the notice.

A hearing may not be conducted by a person who is an employee of the State agency or the LEA that is involved in the education or care of the child; or by any person having a personal or professional interest that would conflict with his or her objectivity in the hearing. A person who otherwise qualifies to conduct a hearing is not an employee of the agency solely because he or she is paid by the agency to serve as a hearing officer. The state of Iowa shall keep a list of the persons who serve as hearing officers. The list must include a statement of the qualifications of each of those persons.

Any party to a hearing, or an appeal, has the right to:

1. Be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities
2. Present evidence and confront, cross-examine, and compel the attendance of witnesses
3. Prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least five business days before the hearing ;
4. Obtain a written, or, at the option of the parents, electronic, verbatim record of the hearing; and,
5. Obtain written, or, at the option of the parents, electronic findings of fact and decisions.

At least five business days prior to a hearing, each party shall disclose to all other parties all evaluations completed by that date and recommendations based on the offering party's evaluations that the party intends to use at the hearing. A hearing officer may bar any party that fails to comply from introducing the relevant evaluation or recommendation at the hearing without the consent of the other party.

Parents involved in hearings must be given the right to have the child who is the subject of the hearing present; and open the hearing to the public. The record of the hearing and the findings of fact and decisions must be provided at no cost to parents.

The public agency, after deleting any personally identifiable information, shall transmit the findings and decisions to the State advisory panel; and make those findings and decisions available to the public.

The public agency shall ensure that not later than 45 days after the receipt of a request for a hearing a final decision is reached in the hearing; and a copy of the decision is mailed to each of the parties. A hearing or reviewing officer may grant specific extensions of time at the request of either party. Each hearing and each review involving oral arguments must be conducted at a time and place that is reasonably convenient to the parents and child involved.

Any party aggrieved by the findings and decision made under a due process hearing who does not have the right to an appeal and any party aggrieved by the findings and decision, has the right to bring a civil action with respect to the complaint presented. The action may be brought in any State court of competent jurisdiction or in a district court of the United States without regard to the amount in controversy. In any action the court shall receive the records of the administrative proceedings; shall hear additional evidence at the request of a party; and basing its decision on the preponderance of the evidence, shall grant the relief that the court determines to be appropriate. The district courts of the United States have jurisdiction of actions brought under section 615 of the Act without regard to the amount in controversy.

In any action or proceeding brought under IDEA laws governing procedural safeguards, the court, in its discretion, may award reasonable attorneys' fees as part of the cost to the parent or guardian who is a prevailing party.

Funds under Part B of IDEA may not be used to pay attorneys' fees or costs of a party related to an action or proceeding under this section. A public agency may use Part B funds for conducting an action or proceeding under this section.

A court award for reasonable attorney's fees is subject to the following:

1. The award must be based on prevailing rates in the community in which the action arose for the kind and quality of services furnished. No bonus or multiplier may be used in calculating the fee award.
2. Attorney fees and related costs may not be reimbursed for services performed subsequent to the time of a written offer of settlement to a parent if: the offer is made within the time prescribed by the Federal Rules of Civil Procedure, or in the case of an administrative proceeding, at any time more than 10 days before the proceeding begins; the offer is not accepted within 10 days; and the court or hearing officer finds that the relief finally obtained is not more favorable to the parents than the offer of settlement. However, if the parent prevails and was substantially justified in rejecting the settlement offer an award of attorney fees and related costs may be made.
3. Attorney fees may not be awarded related to any meeting of the IEP team unless the meeting is convened as a result of an administrative proceeding or judicial action.
4. The court may reduce the amount of attorney fees awarded if: the parent unreasonably protracted the final resolution of the controversy, the amount unreasonably exceeds the hourly rate prevailing in the community for similar services by attorneys of reasonably comparable skill, reputation and experience; the time spent and legal services furnished were excessive considering the nature of the

action/proceeding; or, the attorney representing the parent did not provide to the school district the appropriate information in the due process hearing request required by regulation.

NOTE: Attorney fees may not be reduced if the court finds the state or local agency unreasonably protracted the final resolution, or there was a violation of the Procedural Safeguards.

Unless the SEA or LEA and the parents of the child agree otherwise, the child involved in the complaint must remain in his or her current educational placement. If the complaint involves an application for initial admission to public school, the child, with the consent of the parents, must be placed in the public school until the completion of all the proceedings. If the decision of a hearing officer in a due process hearing conducted by the SEA in an administrative appeal agrees with the child's parents that a change of placement is appropriate, that placement must be treated as an agreement between the State or local agency and the parents

Each public agency shall ensure that the rights of a child are protected if no parent can be identified; if the public agency, after reasonable efforts, cannot discover the whereabouts of a parent; or if the child is a ward of the State under the laws of that State. The duty of a public agency includes the assignment of an individual to act as a surrogate for the parents. Iowa's AEAs have been given this responsibility and must have a method for determining whether a child needs a surrogate parent; and for assigning a surrogate parent to the child.

The AEA may select a surrogate parent in any way permitted under State law except that the agencies shall ensure that a person selected as a surrogate is not an employee of the SEA, the LEA, or any other agency that is involved in the education or care of the child; has no interest that conflicts with the interest of the child he or she represents; and has knowledge and skills that ensure adequate representation of the child. A public agency may select as a surrogate a person who is an employee of a nonpublic agency that only provides non-educational care for the child and who meets the agency standards.

A person who otherwise qualifies to be a surrogate parent is not an employee of the agency solely because he or she is paid by the agency to serve as a surrogate parent. The surrogate parent may represent the child in all matters relating to:

1. The identification, evaluation, and educational placement of the child; and
2. The provision of FAPE to the child.

The State of Iowa will transfer all rights allowed under Iowa code to students with disabilities at the age of 18. Parents and students will be notified one year prior to the transfer of rights.

Each LEA, AEA and public agency must have policies and procedure in place that follow the procedures on disciplinary actions, removals and expedited hearings outlined below:

1. Ten school days or less: A child may be removed from his current placement for ten school days or less by the school district, to an appropriate interim alternative educational setting, another setting, or suspension without providing services, unless the conduct involves drugs or weapons, in which case the change may be for 45 days and would require services in an alternative setting as explained below or the conduct involved is unrelated to the child's disability, in which case the change may involve a long-term suspension or expulsion and would require services in an alternative setting as explained below. A long-term suspension is a suspension in excess of 10 days consecutively, or in excess of 10 days cumulatively in a school year where a pattern of suspension is created. To determine if a pattern is created, three factors are considered: duration of each removal, frequency of each removal, and total amount of time child is removed for that school year.
2. 45 days: A child's placement may be changed for 45 days by the school district, to an appropriate interim alternative educational setting, if the child possessed a dangerous weapon at school or to a school function or knowingly possessed or used illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function. On the date on which the decision to take that action is made, the parent must be notified of the decision and provided the Procedural Safeguards statement.
3. Behavioral Assessment: On or before the end of the tenth business day of a disciplinary action which for the first time that school year exceeds 10 days cumulatively, if the school district did not conduct a functional behavioral assessment and implement a behavioral intervention plan for such child before the behavior that resulted in the discipline action, the school district must convene an IEP meeting to develop an assessment plan to address that behavior. If the child already has a behavioral intervention plan, the IEP team shall review the plan and modify it, as necessary, to address the behavior involved in the disciplinary action. If the child does not already have such a plan, the IEP team shall develop one. Any subsequent removals, which do not constitute a disciplinary change of placement, require that the IEP team review the behavior intervention plan and its implementation to determine if modifications are necessary. If one or more of the IEP team members believe that modifications are needed, the team shall meet to modify the plan and its implementation, to the extent the team determines necessary.
4. Access to Services: Any interim alternative educational setting determination involving a long-term suspension or disciplinary change of placement shall be made by the IEP team, must be selected to enable the child to continue to participate in the general curriculum and to continue to receive services required by the IEP, and must include services and modifications designed to address the behavior involved in the disciplinary action so that it does not recur. Services for short-term suspensions which exceed 10 days cumulatively are only required if the school determines this necessary for the child to appropriately progress.
5. Manifestation Determination: Immediately, if possible, but no later than ten school days after the date on which the decision to implement a disciplinary change of placement (long-term suspension), the IEP team shall determine whether there is a relationship between the child's disability and the behavior subject to the disciplinary action. If the conduct is determined unrelated to the child's disability, disciplinary

procedures applicable to children without disabilities may be applied to the child in the same manner in which they would be applied to children without disabilities. However, in that event the child must still receive a free appropriate public education. If the school district initiates disciplinary procedures applicable to all children, the special education and disciplinary records of the child shall be transmitted for consideration by the person or persons making the final determination regarding the disciplinary action. If the parent disagrees with a determination that the child's behavior was not a manifestation of his disability, or with any decision regarding placement in a disciplinary situation involving a disciplinary change of placement (long-term suspension), the parent has the right to request an expedited due process hearing. The IEP team may determine that the behavior of the child was not a manifestation of the child's disability only if the IEP team first considers all relevant information, including evaluation and diagnostic results (including results or other relevant information provided by the parent), observations of the child, the child's IEP and placement, and then determines that:

- the IEP and placement were appropriate and special education services, supplementary aids and services, and behavior intervention strategies were provided consistent with the child's IEP and placement
- the child's disability did not impair the ability of the child to understand the impact and consequences of the behavior subject to the disciplinary action
- the child's disability did not impair the ability of the child to control the behavior subject to disciplinary action.

In the absence of any of these factors being considered or determinations made, the IEP team must consider the behavior a manifestation of his disability. If the team identified deficiencies in the child's IEP or placement or in the implementation, it must take immediate steps to remedy those deficiencies.

In reviewing a manifestation determination decision, the hearing officer shall determine whether the public agency has demonstrated that the child's behavior was not a manifestation of the child's disability consistent with the listed factors being considered and the listed determinations being made.

6. **Dangerous Students:** If the school district believes the child will injure himself or others, the school district has the right to obtain an expedited due process hearing to seek a 45 day interim alternative educational setting. The parent must be notified of the decision to seek this order on the day the decision is made and provided the procedural safeguards statement. At that hearing, the hearing officer may order a change in placement to an appropriate interim alternative educational setting for not more than 45 days if the hearing officer:
  - determines the school district has demonstrated by substantial evidence (i.e. beyond a preponderance of the evidence) that maintaining the current placement of such child is substantially likely to result in injury to the child or others;
  - considers the appropriateness of the child's current placement;

- considers whether the school district has made reasonable efforts to minimize the risk of harm in the child's current placement including the use of supplementary aids and services; and
  - determines that the interim alternative educational setting enables the child to continue to progress in the general curriculum and continue to receive services required by his current IEP.
7. "Stay-put" under disciplinary actions: If the parent requests a due process hearing regarding the discipline action to challenge the interim alternative educational setting or the manifestation determination and when the child is disciplined for weapons, drugs, or because they are a danger to themselves or others, the child will remain in that interim alternative educational setting pending the hearing decision or until expiration of the time period of the interim alternative educational setting, whichever comes first (unless the parties agree otherwise). If school personnel maintain that it is dangerous for the student to be in the current placement (the placement prior to removal to the interim alternative educational setting) during the pendency of the due process proceedings, the school district may request an expedited hearing.
8. Protection for children not yet eligible for special education and related services: Students who have not been identified as disabled may be subjected to the same disciplinary measures applied to children without disabilities if the district did not have prior knowledge of the disability. If the school district is deemed to have knowledge that the child was a child with a disability before the behavior that precipitated the disciplinary action, the child may assert any of the protections for students with disabilities in the area of discipline. The district has knowledge of the disability when:
- the parent has expressed concern in writing (or orally if the parent does not know how to write or has a disability that prevents a written statement) that the student needs special education services; or
  - the student's behavior or performance has demonstrated a need for services; or
  - the parent has requested an evaluation; or
  - the student's teacher or other school staff have expressed concern about the student's behavior or performance to the director of special education or other school staff.

A school district would not be deemed to have knowledge that the child is a child with a disability, if the school district conducted an evaluation and determined that the child was not a child with a disability, or determined that an evaluation was not necessary and provided proper Notice of Action Refused.

If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation will be expedited. Until the evaluation is completed, the child remains in the educational placement determined by the school district, which can include suspension or expulsion without educational services. If the child is determined to be a child with a disability, the school district shall provide special education and related services and follow all required procedures for disciplining students with disabilities.

9. Reporting crimes committed by students with disabilities: School districts reporting crimes, to appropriate law enforcement and judicial authorities, committed by students with disabilities, shall ensure copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom it reports the crime.
10. Definitions:
- Controlled substance means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 USC 812 (c)).
  - Illegal drug means a controlled substance but does not include such a substance that is legally possessed or used under the supervision of a licensed healthcare professional or that is legally possessed or used under any other authority under that Act or under any other provision of Federal Law.
  - Substantial evidence means beyond a preponderance of the evidence.
  - Weapon means dangerous weapon as defined under paragraph (2) of the first subsection (g) of section 930 of title 18, United States Code.
11. Expedited Due Process Hearings: An expedited hearing requested in connection with a disciplinary action (involving a disciplinary change of placement) shall be held by a hearing officer appointed by the department from a list of contract attorneys, within 45-days of the date the department receives the hearing request. A decision must be rendered within the same time-line and no extensions of the time-line are permitted. No discovery is permissible in an expedited hearing. All other provisions within the Procedural Safeguards section of this State Plan regarding hearing officers and hearings are applicable if not inconsistent with this subsection on expedited due process hearings.

## Legal References

### Federal Requirements

18 USC 930.....	Definition of dangerous weapon
20 USC 1412(a)(1)(A) .....	Free appropriate public education
20 USC 1412(a)(6).....	Procedural safeguards
20 USC 1413(j).....	Disciplinary information
20 USC 1415.....	Procedural safeguards
20 USC 1415(a) .....	Establishment of procedures
20 USC 1415(b) .....	Types of procedures
20 USC 1415(c) .....	Content of prior written notice
20 USC 1415(d) .....	Procedural safeguards notice
20 USC 1415(e) .....	Mediation
20 USC 1415(f).....	Impartial due process hearing
20 USC 1415(g) .....	Appeal
20 USC 1415(h) .....	Safeguards
20 USC 1415(i).....	Administrative procedures, attorney fees
20 USC 1415(j) .....	Maintenance of current placement
20 USC 1415(k) .....	Alternative educational placements
20 USC 1415(l).....	Rules of construction
20 USC 1415(m).....	Transfer at age of majority
21 USC 812.....	Controlled Substances Act
34 CFR 300.7 .....	Definitions of a child with a disability
34 CFR 300.121(d) .....	FAPE for expelled students
34 CFR 300.127 .....	Confidentiality of personal information
34 CFR 300.129 .....	Procedural safeguards
34 CFR 300.143 .....	State implementation of procedural safeguards
34 CFR 300.194.....	State eligibility and procedural safeguards
34 CFR 300.301 .....	Free appropriate public education funding
34 CFR 300.345 .....	Parent participation
34 CFR 300.403 .....	Private school placement when FAPE is at issue
34 CFR 300.500-587.....	Procedural safeguards, including due process procedures, notice, discipline procedures, eligibility, specific learning disabilities, LRE, and confidentiality of information
34 CFR 300.652.....	Advisory panel functions
34 CFR 300.660-662.....	State complaint procedures

### Iowa Requirements

Iowa Code – Chapter 72.4(5)

Iowa Administrative Rules of Special Education

Division VII – Identification 281.41.47-41.56

Division X - Parent Participation 41.102-41.111

Division XI – Special Education Appeals 41.112 – 41.125

281-41.12 – Agency responsibilities

281-41.71 – Discipline Procedures

281-41.72 – Manifestation Determination

281.41.73 - Appeal